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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,378	07/29/2003	Atsuo Tanaka	116709	4324
25944	7590	06/10/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, CHAU N	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/628,378

Applicant(s)

TANAKA, ATSUO

Examiner

Chau N Nguyen

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/29/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figure 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 1 and 17 are objected to because of the following informalities: in claim 1, line 5, delete "the group of", and in claim 17, lines 2-3, change "the peripheral wire element" to --peripheral wire elements--. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 2, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Murakami et al. (6,528,731).

In this rejection, the phrase "closely-contacted relation" is understood as "almost contacted" but not "directly contacted".

Murakami et al. discloses a shielded flat cable (Fig. 11) comprising a plurality of signal wires (10b) each having a conductor coated with insulating

layer, a drain wire (10a), a shielding layer (4) covering an outer periphery of the signal wires and the drain wire, and an insulating sheath (7) covering an outer periphery of the shielding layer, wherein the signal wires and the drain wire are juxtaposed to one another in closely-contacted relation to one another, and wherein the conductor of at least the outermost signal wire is made of copper alloy (col. 6, line 39) (re claim 1). Murakami et al. also discloses the drain wire being provided at one of ends of the signal wires (re claim 2), the conductor of each signal wire being made of a stranded wire (col. 6, line 37) (re claim 9), and the conductor of each signal wire being made of a single wire (Fig. 11) (re claim 10).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 5, 6, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. (5,008,489) in view of Sato et al. (6,417,445).

In this rejection, the phrase "closely-contacted relation" is understood as "directly contacted".

Weeks, Jr. et al. discloses a shielded flat cable (Fig. 6) comprising a plurality of signal wires (112) each having a conductor coated with insulating layer, a drain wire (115), a shielding layer (116) covering an outer periphery of the signal wires and the drain wire, and an insulating sheath (120) covering an outer periphery of the shielding layer, wherein the signal wires and the drain wire are juxtaposed to one another in closely-contacted relation to one another (re claim 1). Weeks, Jr. et al. also discloses the drain wire being provided at one of ends of the signal wires (re claim 2), the conductor of each signal wire being made of a stranded wire (Fig. 4) (re claim 9), and the conductor of each signal wire being made of a single wire (Fig. 6) (re claim 10).

Weeks, Jr. et al. does not disclose the conductor of at least the outermost signal wire is made of copper alloy which is made of a Cu-Ag alloy (re claims 1 and 5). Sato et al. discloses an insulated wire comprising a conductor being made of an alloy of copper and silver including 2.5% by weight to 5.5% by weight of silver (col. 10, lines 41-44) (re claim 6). It would have been obvious to one skilled in the art to use the alloy taught by Sato et al. for the signal wires of Weeks, Jr. et al. since the alloy taught by Sato et al. provides both tensile strength and electrical conductivity.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Sato et al. as applied to claim 1 above, and further in view of Olyphant, Jr. (4,475,006).

Claims 3 and 4 additionally recites each conductor of each signal wire having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$ . Olyphant, Jr. discloses a shielded ribbon cable comprising signal wires each having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$  (32 AWG wire, col. 11, lines 23-24). It would have been obvious to one skilled in the art to use conductor having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$  for the conductor of Weeks, Jr. et al. to provide a balance between electrical and mechanical characteristics as taught by Olyphant, Jr.

8. Claims 7, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Sato et al. as applied to claim 1 above, and further in view of JP411111070 (JP'070).

Claims 7 and 8 additionally recite the conductor of at least the outermost signal wire being made of Cu-Ni-Si alloy which includes 2.0% to 3.0% by weight of Ni and 0.4% to 0.8% by weight of Si.

JP'070 discloses a bendable flat cable comprising a conductor which is made of Cu-Ni-Si alloy including 2.0% to 3.0% by weight of Ni and 0.4% to 0.8% by weight of Si and having a tensile strength of 500 to 1400 N/mm<sup>2</sup> and an elongation of 5% to 15% (re claims 11 and 12). It would have been obvious to one skilled in the art to use the copper alloy as taught by JP'070 for at least the outermost signal wire of Weeks, Jr. et al. since the alloy taught by JP'070 provides good tensile strength, elongation and flexibility.

9. Claims 13, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Kawai (6,303,868).

Weeks, Jr. et al. discloses a shielded flat cable (Fig. 6) comprising a plurality of signal wires (112) each having a conductor coated with insulating layer, a drain wire (115), a shielding layer (116) covering an outer periphery of the signal wires and the drain wire, and an insulating sheath (120) covering an outer periphery of the shielding layer, wherein the signal wires and the drain wire are juxtaposed to one another in closely-contacted relation to one another (re claim 13). Weeks, Jr. et al. also discloses the drain wire being provided at one of ends of the signal wires (re claim 14).



Weeks, Jr. et al. does not disclose the conductor of at least the outermost signal wire comprising a linear central wire element disposed at a longitudinal axis of the conductor, and peripheral wire elements (re claim 17) stranded around the central wire therealong, wherein the central wire element is made of copper, and wherein the peripheral wire elements are made of copper alloy (re claim 13).

Kawai discloses an insulated wire comprising a conductor which is comprised of a linear central wire element (2) disposed at a longitudinal axis of the conductor, and peripheral wire elements (3) stranded around the central wire therealong, wherein the central wire element is made of copper (annealed copper), and wherein the peripheral wire elements are made of copper alloy (beryllium copper). It would have been obvious to one skilled in the art to use the conductor taught by Kawai for at least the outermost conductor of Weeks, Jr. et al. since the conductor taught by Kawai provides sufficient conductivity and strength.

10. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Kawai as applied to claim 13 above, and further in view of Olyphant, Jr.

Claims 15 and 16 additionally recites each conductor of each signal wire having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$ . Olyphant, Jr.

discloses a shielded ribbon cable comprising signal wires each having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$  (32 AWG wire, col. 11, lines 23-24). It would have been obvious to one skilled in the art to use conductor having a total cross-sectional area of  $0.03 \text{ mm}^2$  to  $0.08 \text{ mm}^2$  for the conductor of Weeks, Jr. et al. to provide a balance between electrical and mechanical characteristics as taught by Olyphant, Jr.

11. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Kawai as applied to claim 13 above, and further in view of Sato et al.

Sato et al. discloses an insulated wire comprising a conductor being made of an alloy of copper and silver including 2.5% by weight to 5.5% by weight of silver (col. 10, lines 41-44). It would have been obvious to one skilled in the art to use the alloy taught by Sato et al. for the signal wires of Weeks, Jr. et al. since the alloy taught by Sato et al. provides both tensile strength and electrical conductivity.

12. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks, Jr. et al. in view of Kawai as applied to claim 13 above, and further in view of JP'070.

Claims 20 and 21 additionally recite the conductor of at least the outermost signal wire being made of Cu-Ni-Si alloy which includes 2.0% to 3.0% by weight of Ni and 0.4% to 0.8% by weight of Si.

JP'070 discloses a bendable flat cable comprising a conductor which is made of Cu-Ni-Si alloy including 2.0% to 3.0% by weight of Ni and 0.4% to 0.8% by weight of Si and having a tensile strength of 500 to 1400 N/mm<sup>2</sup> and an elongation of 5% to 15% (re claims 22 and 23). It would have been obvious to one skilled in the art to use the copper alloy as taught by JP'070 for peripheral wire elements in the modified Weeks, Jr. et al. cable since the alloy taught by JP'070 provides good tensile strength, elongation and flexibility.

### ***Cited Art***


13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Winter et al., Tsuno et al. and Katsumata et al. disclose cables comprising copper or copper alloy conductors. Tanaka et al. discloses a shielded cable.

*Communication*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Chau N Nguyen  
Primary Examiner  
Art Unit 2831